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February 8, 2021

**VIA ECF**

Hon. Vera M. Scanlon  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Courtroom 13A – South Wing  
New York, New York 12207

Re: **Samuel v. Walgreen, Co.**  
**No. 20 Civ. 4441 (RRM) (VMS)**

Dear Honorable Judge Scanlon,

We are in receipt of Your Honor's scheduling order dated February 8, 2021, which rescheduled the initial conference scheduled for February 9, 2021 to a *Cheeks* hearing scheduled for March 10, 2021. The Parties jointly write this letter to advise the Court that there has been no settlement of this matter, and thus we request the conference scheduled for March 10, 2021 be terminated. We also write to note that the Parties' February 8, 2021 Rule 41 voluntary dismissal stipulation was *without prejudice*, and that it is the Parties' understanding that, pursuant to Rule 41(a)(1)(A)(2), this matter was dismissed without prejudice upon the filing of the Parties' stipulation. The Parties' therefore respectfully request that this matter be closed.

We thank Your Honor for the Court's time and attention to this matter

Respectfully submitted,

*s/ Brian S. Schaffer*

Brian S. Schaffer